

Applicants: Virginia Freedman and Zebunnissa Ramtoola
Application No. 08/722,045

Remarks

Reconsideration of the patentability of applicants' claims is requested respectfully.

Status of the Claims

The Examiner's Action addresses all of applicants' elected claims, namely Claims 1, 3, 5 to 16, 21 and 22. Claims 6, 14 and 15 have been amended and claims 23 to 29 have been added. Accordingly, there is presented for the Examiner's consideration Claims 1, 3, 5 to 16, and 21 to 29.

Page 1 of the description has been amended in accordance with 37 C.F.R. §1.78 to include reference to the PCT application from which the present application stems and to claim the priority of the application on which the PCT application is based.

Page 10 has been amended to correct an error which was introduced during transfer of an electronic copy of the specification for filing in the PCT receiving office; the typographical symbol for micron (μm) was transmuted incorrectly to the corresponding text characters (mm). That an error was made is clear from the relevant text which discusses the preparation of "very fine" emulsion droplets. An emulsion having millimeter sized droplets would not qualify as an emulsion having very fine droplets. Additionally, as described in the specification in Examples 8 and 9, page 31, lines 9 to 28, an emulsion having millimeter-sized droplets would not lead to the production of nanometer-sized particles by evaporation of the solvent used to prepare the emulsion (for example, see Examples 8 and 9, page 31, lines 9 to 28).

Claim 6 has been amended as to form and no substantive amendment has been made to it.

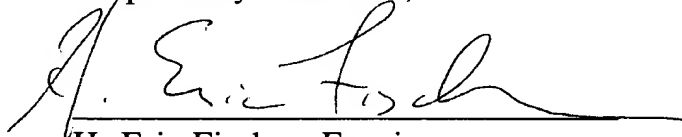
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Amendment to claims 14 and 15 corrects typographical errors which were introduced during transfer of electronic files during filing of the PCT application; the symbol for degrees (\circ) was transmuted to an infinity symbol. The degree symbol is a common way to express a temperature scale, as evidenced by "C" (for Celsius) immediately following the symbol, and is in keeping with similar amendments made in the corresponding European application (now European Patent No. EP 0754034, as reflected in claims 12 and 13 therein). Newly added claim 23 is supported by the specification, at page 8, line 5 to page 9 line 30 and as amended at page 10, lines 14-20. Newly added claim 24 is supported by the specification on page 5, lines 12 to 17, and on page 7, line 29 to page 8, line 4 and by claim 12. Newly added claim 25 is supported by the specification on page 5, lines 1 to 17, and by claim 10. Newly added claim 26 is supported by the specification on page 5 at lines 18-19. Newly added claim 27 is supported by the specification on page 5 at lines 7 to 11. Newly added claims 28 and 29 are supported by the specification on page 5 at lines 1 to 2 and lines 7 to 11.

This amendment is accompanied by a Petition for a three-month extension of the reply period to respond to the Action dated April 9, 2003.

An early and favorable Action is requested respectfully.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "H. Eric Fischer", written over a horizontal line.

H. Eric Fischer, Esquire
Registration No. 46,010

Synnestvedt & Lechner LLP
2600 Aramark Tower
1101 Market Street
Philadelphia, PA 19107
Telephone: (215) 923-4466